

MARCH 9, 2006

930 OGLESBY ST

ZONE CHANGE

From: R-4DT Inner-City Residential

To: B-5 Business/Industrial

Proposed Use: Light Industrial/Office

Acreage: 0.266 acres

Applicant: K&R Commercial Properties LLC
(0603.1633)

Property Zone Existing Use	to North I-1 Martin Laboratories	
to West I-1, P-1 Community Alternatives of KY, Apartments	Subject R-4DT ↔ B-5 Dilapidated Residential	to East R-4DT Single-Family Residential
	to South R-4DT, P-1 Residential, Church	

**GENERAL LAND USE CRITERIA
Apply, if marked below:**

Described in Comprehensive Plan on pages 445-448

Environmental ☒

- E1** Flood Plains
- E2** Steep Slope
- E3** Historical & Archaeological Sites
- E4** Soils
- E5** Plant & Animal Life

Urban Services ☒

- U1** Roadway Capacity
- ☒ **U2** Electricity Supply
- ☒ **U3** Water Supply
- ☒ **U4** Stormwater Disposal
- ☒ **U5** Sanitary Sewage Disposal

Development Patterns ❖

- D1** Land-Use Intensity, Clusters and Buffers
- D2** Land Use versus Street Function
- D3** Intersection & Driveway Spacing
- D4** Roadway Buffer Standards
- D5** Lot Sizes & Proportions
- D6** Residential Development
- ❖ **D7** Non-Residential Development
- D8** Building Quality

Proposed Zone & Land Use Plan

The applicant is seeking a B-5 Business/Industrial zone. The subject property is located in a Business/Industrial Plan Area where general business uses and light industrial uses are appropriate in general locations.

SPECIFIC LAND USE CRITERIA

- (a) Building and lot patterns; outdoor storage yards**
Building and lot patterns should conform to the criteria for “Nonresidential Development” (D7), and outdoor storage yards, with “Buffers for Outdoor Storage Yards” (D1).

Applicant's Findings

The subject property is located in a business/industrial plan area where general business and light industrial uses are appropriate in general locations.

The applicant proposed to remove two (2) existing dilapidated frame residences and redevelop the site, constructing a 100’ x 48’ structure for combination light industrial and business uses. A final development plan with required off-street parking, drainage improvements, landscaping and any other required site improvements will be submitted for review and approval prior to the issuance of a building permit.

Specific land use criteria applicable to this application is limited to building and lot patterns conforming to the criteria for “Nonresidential Development” (D7). The subject property is located in a mixed use area, including a mixture of light industrial, professional and R-4DT residential uses and zoning.

The proposed rezoning meets all applicable criteria and is in conformance with the adopted Comprehensive Land Use Plan.

Planning Staff Review

The subject property is located in the 900 block of Oglesby Street. Land use criteria applicable to this proposal are reviewed below.

GENERAL LAND USE CRITERIA

Environment

According to a study prepared by the US Department of Agriculture Soil Conservation Service dated March 6, 1990, it appears that the subject property is not located in a wetlands area. The subject property is not located in a

special flood hazard area per FIRM Map 21059CO140 C. The developer is responsible for obtaining permits as may be required by the Division of Water, The Army Corp of Engineers, FEMA or other state and federal agencies as may be applicable.

It appears that the subject property is outside the Owensboro Wellhead Protection area according to a map created by the GRADD office dated March 1999.

Urban Services

All urban services, including sanitary sewers, are available to the site.

Development Patterns

The subject property is located in an area of mixed light industrial, professional and residential uses. Land uses in the vicinity of the subject property include light industrial storage and office, a church, single-family residences and apartments.

Currently, there are two dilapidated residences and a dilapidated trailer on the subject property. The applicant proposes to remove all structures from the site and construct a building that could be used for light industrial or business uses which is appropriate in a business/industrial plan area.

A site plan or development plan as appropriate should be submitted and approved by the OMPC prior to the issuance of any building permits. No landscape buffer screening will be required but all vehicular use areas shall be paved with appropriate screening installed.

SPECIFIC LAND USE CRITERIA

The subject property is appropriate for the B-5 Business/Industrial zoning because it is within an area identified as appropriate for mixed business and light industrial uses and lies within the Business/Industrial Plan Area as identified by the Land Use element of the Comprehensive Plan.

Planning Staff Recommendations

Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan. The findings of fact that support this recommendation include the following:

Findings of Fact:

1. The subject property is located within a Business/Industrial Plan Area, where general

business and light industrial uses are appropriate in general locations;

2. The subject property lies within an existing area of mixed residential, professional and light industrial uses;
3. The Comprehensive Plan provides for the continuance of mixed use areas; and,
4. The proposed land use for the subject property is in compliance with the criteria for a Business/Industrial Plan Area and a B-5 Business/Industrial zoning classification.